

Application No. 10/764404  
Reply to Office action of 6/23/2005  
Page 6

## REMARKS

Favorable reconsideration and reexamination of this application are requested in view of the above amendments and the following remarks. Claims 1, 7, 11, and 13-14 are hereby amended. Claims 9 and 10 are canceled without prejudice or disclaimer.

Amendment of claim 1 is supported, for example, by Figure 7. Amendment of claim 7 is supported by subject matter of claims 9 and 10. Claims 11 and 13 are amended to correct dependencies. Amendment of claim 14 is supported by page 19, lines 18-21.

Claims 1-2 were rejected under 35 USC 102(b) as being anticipated by Duplicily (US 4,470,611). Applicants traverse this rejection. Claim 1 requires a suspension system for a vehicle including a shock absorber provided between the right and left linking mechanisms; and a swinging mechanism that is coupled between the right and left linking mechanisms. See Figure 7 that shows the shock absorber (76) provided above and in parallel to the swinging mechanism (93), where both the shock absorber (76) and the swinging mechanism (93) are provided between the right and left linking mechanisms (95). In contrast, even if Duplicily discloses a suspension system in which a damping mechanism (112) is provided between left and right link/toggle members (122/128), the reference does not disclose that pivot pin 132, which the Examiner equates to the swinging mechanism, is also connected between the left and right link/toggle members (122/128), as required by claim 1.

Further, Duplicily does not disclose a suspension system including a connecting member being coupled to the right and left linking mechanisms, wherein the connecting member is attached to the frame via the swinging mechanism, as required by claim 1. Rather, Duplicily discloses a pivot pin (132) that is coupled to a part of the chassis, and is provided either on the right or left side of the toggle member (128). The connecting member required by claim 1 allows downsizing of the right and left linking and swinging mechanisms.

Application No. 10/764404  
Reply to Office action of 6/23/2005  
Page 7

Since Duphily does not disclose all the elements of the claimed suspension system, and relationship therebetween, the reference cannot be considered to anticipate the invention of claim 1. Favorable reconsideration and reexamination of claims 1-2 are requested.

Claims 7, 9 and 14 were rejected under 35 USC 103(a) as being unpatentable over Aregger (US 6,276,480) in view of Parsons (US 3,598,385). Claim 7 includes allowed subject matter of claim 10. Applicants are not conceding the correctness of the rejection as applied to claim 7.

The Examiner relies on Aregger to teach a three-wheeled vehicle suspension. As conceded by the Examiner, Aregger does not teach the suspension system disclosed in claim 14.

The Examiner relies on Parsons to teach the suspension of claim 14. However, Parsons does not suggest a suspension including left and right suspension arms that are each pivotally coupled to an axis of the left and right rear wheels, respectively, as required by claim 14. Rather, Parsons teaches link portions (14) that are coupled to intermediate king pin devices (8), rather than directly to the axis of the wheels (4).

The suspension system of claim 14 provides a means for a three-wheel vehicle to independently move each of its three wheels without lateral interference by supporting the left and right rear wheels by the front swinging shaft and the rear swinging shaft via the mutually independent suspension arms. The invention of claim 14 provides a vehicle that requires fewer parts with the superior ability to follow the road, enhance ride comfort, and reduce the risk of rollover (see page 20, line 23 to page 21, line 9).

The combination of Aregger and Parsons fails to suggest all the elements of the rejected claims. Favorable reconsideration and reexamination of claims 7 and 14 are requested.

Application No. 10/764404  
Reply to Office action of 6/23/2005  
Page 8

Claim 8 was rejected under 35 USC 103(a) as being unpatentable over Aregger and Parsons in view of Petersen (US 5,364,114). Claim 8 should be considered allowable for at least the same reasons as claim 7, from which it depends. Applicants are not conceding the correctness of the rejection as applied to the rejected claim. Favorable reconsideration and reexamination of claim 8 is requested.

In view of the above, early issuance of a notice of allowance is solicited. Any questions regarding this communication can be directed to the undersigned attorney, Curtis B. Hamre, Reg. 29,165, at (612)455-3802.

Respectfully Submitted,

Dated: 9-22-05

Curtis B. Hamre  
Reg. No.: 29,165  
Hamre, Schumann, Mueller & Larson, P.C.  
225 South Sixth Street  
Suite 2650  
Minneapolis, MN 55402  
612.455.3800

CBH/mfe